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Three Empire State Plaza, Albany, NY 12223-1350
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February 9, 2018

(Via email to secretary@dps.ny.gov)
Honorable Kathleen H. Burgess
Secretary to the Public Service Commission
Three Empire State Plaza
Albany, New York
12223-1350

RE: Case 15-M-0180 - In the Matter of Regulation and Oversight of Distributed
Energy Resource Providers and Products.

Dear Secretary Burgess,

On October 19, 2017, the Commission issued an Order Establishing Oversight Framework and Uniform Business Practices for Distributed Energy Resource Suppliers. That Order required, among other things, all active community distributed generation (CDG) and onsite mass market distributed generation (DG) providers to file a completed registration form, including a sample contract or contracts and sample bill or bills, by December 1, 2017. It also required CDG and on-site mass market DG providers to include certain specified provisions in their contracts with mass market customers and to provide mass market customers with Standard Customer Disclosure Statements, starting on December 1, 2017. In addition, the Order stated that, starting on December 1, 2017, electric utilities shall require that proof of registration be submitted as part of an initial interconnection application. Subsequently, those deadlines were extended to March 1, 2018 because the registration form and Standard Customer Disclosure Statements were not yet available.

Those documents are attached to this letter. Specifically, the DER Supplier Registration Form and six form Customer Disclosure Statements are attached. The Customer Disclosure Statements are divided between On-Site and Community projects, and within each of those categories between ownership, lease, and power-purchase agreement (PPA) models.

The documents are designed to be completed using Microsoft Word or a compatible program. While only non-fillable, PDF versions of the documents will be available in the Document and Matter Management (DMM) System, Word document versions for usage by providers are available on the Department's Value of DER webpage, www.dps.ny.gov/VDER/. There will also be a DER Oversight webpage, which will include the same documents. Utility rate averages, which some DER Suppliers will need to calculate savings estimates, are now available in PDFs linked on each utility's Distributed Generation webpage.

Staff, as well as the New York State Energy Research and Development Authority, intend to hold conference calls and/or webinars in the near future to ensure that DER suppliers understand the Uniform Business Practices for DER Suppliers (UBP-DERS) and these forms and to offer suppliers opportunities to ask questions and provide feedback. Notice of such events will be provided in this docket.

Consistent with the initial Order, providers should have more than 30 days between the documents' issuance and the requirements coming into effect. Therefore, Staff requests that a further extension to April 2, 2018 be granted for CDG and on-site mass market DG providers to file a completed registration form, including a sample contract or contracts and sample bill or bills, and for CDG and on-site mass market DG providers to begin complying with the contracting and Standard Customer Disclosure Statement requirements, as well as for the electric utilities to require that proof of registration as part of an initial interconnection application.

Sincerely,

/s/

Ted Kelly
Assistant Counsel